



Attorney's Docket No. 38190/239642

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Thomas L. Weaver et al.
Appl No.: 09/975,168 Confirmation No. 9101
Filed: October 11, 2001
For: CLOSED-LOOP OPTICAL NETWORK SYSTEM
AND AN ASSOCIATED TRANSCEIVER AND
METHOD FOR TRANSMITTING A
PLURALITY OF OPTICAL SIGNALS

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

**SUBMITTAL OF DECLARATION
UNDER 37 C.F.R. § 1.63**

Sir:

Enclosed is a Declaration and Power of Attorney for the above-identified patent application that has been executed by the named inventors.

A check in the amount of \$130 is also enclosed to cover the surcharge under 37 C.F.R. § 1.16(e). Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,


Andrew T. Spence
Registration No. 45,699

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on January 7, 2002.



Sarah B. Simmons

CLT01/4513528v1

JAN 25 2002

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**RESPONSE TO NOTICE TO
FILE MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Application dated November 13, 2001, enclosed are the following:

- Part 2 of Formalities Letter or Form PTO-1533
(Notice to File Missing Parts of Application)
- Declaration and Power of Attorney for the above-identified application which has been executed by the named inventor(s)
- Applicant claims small entity status
- Check in the amount of \$130.00 to cover surcharge under 37 C.F.R. § 1.16(e)
- English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- Other: **Information Disclosure Statement; Eight (8) citations**

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

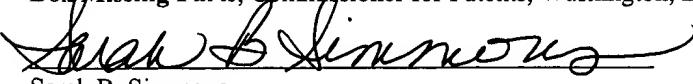

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Sarah B. Simmons

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,168	10/11/2001	Thomas L. Weaver	38190/239642

CONFIRMATION NO. 9101

00826
ALSTON & BIRD LLP
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101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

FORMALITIES LETTER



OC000000007054683

Date Mailed: 11/13/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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